

BEFORE THE IDAHO STATE ATHLETIC COMMISSION

In the Matter of the License of:

STEVEN ALLEN RODGERS,
License No. ATMA-218,

Respondent.

Case No. ATC-2007-4

FINAL ORDER

THIS MATTER is before the Commission for consideration of formal discipline against Respondent Steven Allen Rodgers. Due to Respondent's failure to answer or appear in this matter, a Default Order was issued on June 10, 2009. The factual allegations set forth in the Complaint against Respondent were deemed true, and therefore, no formal hearing was held. The Hearing Officer issued his Findings of Fact, Conclusions of Law, on June 10, 2009.

The Commission, having conducted an independent review of the record and having considered the Hearing Officer's Findings of Fact, Conclusions of Law, and Recommended Order and all other matters of record, and good cause appearing therefor, the Commission adopted the following Order.

IT IS HEREBY ORDERED as follows:

1. Default is hereby entered as against Respondent, and the Hearing Officer's Findings of Fact and Conclusions of Law are hereby adopted and incorporated herein by this reference.

2. That the factual allegations set forth in the Complaints against this Respondent shall be deemed true.

3. That Respondent's actions as detailed in the Complaint constitute violations

FINAL ORDER - 1.

of Idaho Code § 54-418 (any licensee who violates any rule of the Commission shall be penalized), Commission Rule 206 (any combatant who fails to appear in an event in which the combatant signed a contract to appear, without a written excuse determined to be valid by the Commission or a certificate from a physician designated by the Commission in advance in case of physical disability, is subject to disciplinary action), and Commission Rule 113.02.a (Commission may discipline a licensee for conviction of a felony). The Commission therefore imposes the following disciplinary sanctions upon Respondent:

a. That Respondent shall pay the costs and attorney fees incurred by the State. The State shall submit an Affidavit of Costs and Attorney Fees incurred in this matter within thirty (30) days from the date of this Order. Respondent shall submit any objection to the costs and fees submitted by the State and request a hearing within thirty (30) days from the receipt of the State's Affidavit. Thereafter, the Commission shall determine the amount of costs and fees awarded against Respondent, and in the event Respondent fails to object to the costs and fees claimed by the State, Respondent shall pay the costs and fees set forth in its Affidavit. The Respondent shall pay the costs and fees as determined by the Commission, or as set forth in this section, within ninety (90) days from the date of this Order.

b. That Respondent shall pay a fine in the amount of Twenty-Five Dollars (\$25.00). The fine shall be paid within sixty (60) days from the date of this Order.

c. That prior to reinstatement of his license, Respondent shall meet with the Commission and provide evidence of substance abuse rehabilitation. The Commission will evaluate Respondent's compliance with the conditions of this order, and determine whether additional restrictions or conditions are appropriate for reinstatement of Respondent's license.

FINAL ORDER - 2.

d. Any party may file a Petition for Reconsideration of this Final Order within fourteen (14) days of the service date of this Final Order. The Board will dispose of the Petition for Reconsideration within twenty-one (21) days of its receipt, or the Petition will be considered denied by the operation of law. (*See*, Idaho Code Section 67-5247(4)).

e. Pursuant to Idaho Code Sections 67-5270 and 57-5272, any party aggrieved by this Final Order, or orders previously issued in this case, may appeal this Final Order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which: (i) a hearing was held; (ii) the final agency action was taken; or (iii) the party seeking review of this Final Order resides.

f. An appeal must be taken within twenty-eight (28) days: (i) of the service date of this Final Order; (ii) of any order denying petition for reconsideration; or (iii) of the failure within twenty-one (21) days to grant or deny a petition for reconsideration, whichever is later. (*See*, Idaho Code Section 67-5273.) The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

4. The Bureau Chief of the Bureau of Occupational Licenses shall cause a true and correct copy of this Final Order to be served upon the Respondent and the State's attorney by mailing a copy to them at their addresses as provided.

DATED this 20 day of August, 2009.

IDAHO STATE ATHLETIC COMMISSION

By Tom Katsilometes
Tom Katsilometes, Commissioner

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 20th day of August, 2009, I caused to be served, by the method(s) indicated, a true and correct copy of the foregoing upon:

Steven Allen Rodgers
783 Pioneer Road, Apt. 12
Weiser, ID 83672

☒ U.S. Mail
☐ Hand Delivered
☒ Certified Mail
☐ Fax Transmission

Karl T. Klein
Deputy Attorney General
P.O. Box 83702
Boise, ID 83720-0010

☐ U.S. Mail
☐ Hand Delivered
☒ Statehouse Mail
☐ Fax Transmission


Tana Cory, Bureau Chief

M:\IBOL\Athletic Commission\Documents\4773.05 Rodgers' Final Order.wpd